

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-2, 4-7, and 9-12 are pending in the present application. Claims 1, 4-6 and 9-12 are amended; and Claims 3, 8 and 13 are canceled by the present amendment. Support for additions to the claims can be found in the claims as originally filed. Thus, no new matter is added.

In the outstanding Action, Claims 1-13 were rejected under 35 U.S.C. §103(a) as unpatentable over Forte et al. (U.S. Patent No. 7,162,020 herein referred to as "Forte") in view of Lamb et al. (U.S. Patent No. 6,747,970 herein referred to as "Lamb").

Addressing now the rejection of Claims 1-13 under 35 U.S.C. §103(a) as unpatentable over Forte in view of Lamb, this rejection is respectfully traversed.

Amended Claim 1 recites,

A gateway device to be installed between a public telephone network and a private branch exchange to which a plurality of extension telephones are connected, said gateway device comprising:

a public telephone network connection unit configured to connect the extension telephones to said public telephone network through said private branch exchange;

an Internet connection unit configured to connect said private branch exchange to the Internet;

a connection switching unit configured to selectively connect either said public telephone network or the Internet to said private branch exchange;

a detecting unit configured to detect the use condition of a communication line connected to said private branch exchange;

a notification unit configured to transmit, to said public telephone network through said public telephone network communication unit, an outgoing call only setting signal which notifies said public telephone network that only calling is viable to said public telephone network and to inform said public telephone network that an incoming call cannot be responded, only outgoing calling being viable in a case where the communication line connected to said private branch exchange is in use,

wherein said private branch exchange is configured to switchingly connect the plurality of extension telephones with a plurality of communication lines of said public telephone network,

wherein said gateway device is provided for each of the plurality of communication lines of said public telephone network, and

wherein, when the communication line connected to said private branch exchange through said gateway device is in use, a different gateway device serves to make a connection by proxy in response to a connection request issued for said gateway device in accordance with said notification unit.

Claim 6 recites a corresponding private branch exchange system.

Forte describes a system and method for selectively establishing communication with one of plural devices associated with a single telephone number.¹

However, as is acknowledged by the outstanding Action on page 3, Forte fails to describe or suggest a notification unit configured to transmit, to said public telephone network through said public telephone network communication unit, **an outgoing call only setting signal which notifies said public telephone network that only calling is viable** to said public telephone network and to inform said public telephone network that an incoming call cannot be responded, only outgoing calling being viable in a case where the communication line connected to said private branch exchange is in use, as is recited in Claim 1. However, the outstanding Action cites Lamb as curing these deficiencies of Forte.

Lamb describes a telecommunications system that uses software applications called user agents that operate to control call connections under control of a network server and that interface with a hosting server as well as a connection-based public telephone network.²

Lamb, however, does not describe or suggest **an outgoing call only setting signal which notifies said public telephone network that only calling is viable**, as is recited in Claim 1. Specifically, the call signaling message of Lamb is a signal that informs the caller

¹ see Forte, Abstract.

² see Lamb, Abstract.

that the line is busy.³ In contrast, Applicants' claimed invention recites an outgoing signal which informs the caller that an outgoing call is possible but that incoming calls may not be received on the line.

In other words, the signal in Applicants' claimed invention is provided to every general communication protocol and may be used to temporarily stop incoming calls due to line construction, for example. Additionally, IP phones may be inserted into the public network under construction and may be set up to utilize this signal without requiring any changes to the present public switch telephone network (PSTN). However, the signal described in Lamb does not have the advantageous features recited in Applicants' claimed invention.

Moreover, the combination of Forte and Lamb fails to describe or suggest a gateway device comprising a public telephone network connection unit configured to connect the extension telephones to said public telephone network through said private branch exchange, as is recited in Claim 1.

Specifically, as Figs. 1 and 3 of Forte show, the wireless connection unit (WC) is **directly** connected to the extension telephones of the private branch exchange (Hotel PBX). Therefore, in contrast to Applicants' claimed invention, the WCs in Forte are not installed between the PBX and the PSTN, as the gateway devices of the claimed invention.⁴ Thus, Forte must utilize a cross-connect panel inside the PBX on the extension telephone side, such that the WC may detect an incoming telephone call to one of the external telephones.⁵

Furthermore, according to Forte, the WC ignores the PBX when carrying out the extension switching processing. Therefore, significant system modification would need to be applied to Forte in order for the PBX to have the functionality to acquire the results of the

³ see Lamb, column 14, lines 7-37.

⁴ see Fig. 1.

⁵ see Forte, column 6, lines 53-55.

switching processing from WC, as well as the functionality to refuse the arrival from the PSTN to a busy line, as is provided in the claimed invention.

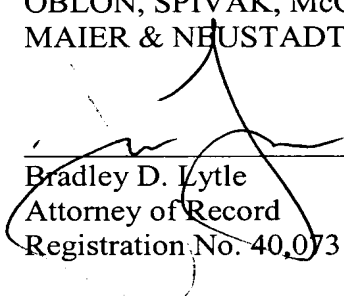
In addition, when combining Forte and Lamb, the corresponding structure sends a call signaling message to the PSTN through the line from the WC. However, as shown in Fig. 3 of Forte and the combined structure, the line to the PBX and the line to the WC are independent lines. Thus, in order to be analogous to Applicants' claimed invention, Forte would have to recognize the independent line to be busy by sending call signaling message from a line in the PSTN. Therefore, the structure combining Forte and Lamb cannot be said to anticipate Applicants' claimed invention.

Therefore, for at least the above mentioned reasons, Applicants respectfully submit that Claim 1 and similarly Claim 6 and claims depending thereon patentably distinguish over Forte and Lamb, considered individually or in combination.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

James Love
Registration No. 58,421

Customer Number
22850
Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)